

Duane Morris

DUANE MORRIS LLP
ONE MARKET, SPEAR TOWER, SUITE 2000
SAN FRANCISCO, CA 94105-1104
PHONE: 415.371.2200
FAX: 415.371.2201

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AUG 12 2005

FACSIMILE TRANSMITTAL SHEET

TO: Examiner JOHN A. JEFFREY

FIRM/COMPANY: Mail Stop AF

FACSIMILE NUMBER: (571) 273-8300

**CONFIRMATION
TELEPHONE:** (571) 272-4781

FROM: Ruth Der, Paralegal

DIRECT DIAL: 415.371.2231

DATE: August 12, 2005

USER NUMBER:

FILE NUMBER: Atty. Docket No. R0367-01003, Serial No. 10/719,448

TOTAL # OF PAGES: 11
(INCLUDING COVERSHEET)

MESSAGE: Mr. Jeffrey, we resend the attached *Amendment And Response To Office Action Mailed 05/13/2005* due to transmitting error of the earlier *Amendment And Response To Office Action Mailed 05/13/2005* faxed to you today at 5:32 PM (EST).

Please confirm receipt of this facsimile.

NOTE: Original will not follow

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 415.371.2200.

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AUG 12 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.For: **IMAGEABLE BIOPSY SITE MARKER**

Serial No.: 10/719,448

Filed: November 21, 2003

Atty. Docket No.: R0367-01003

Examiner: John A. Jeffrey

Group Art Unit: 3742

TRANSMITTAL

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I hereby certify that these papers are being sent by facsimile to (571) 273-8300 addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Atty. John A. Jeffrey on 8/12/2005 in San Francisco, CA.

By: 

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application is

X Amendment and Response To Office Action Mailed 05/13/2005.

2. Payment of Fees

X There are no fees due with this communication. However, should the Commissioner find otherwise, the Commissioner is authorized to charge the deficiency in fees which may be required and to credit any overpayment of fees under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-01003. A duplicate copy of this transmittal is enclosed.

Respectfully submitted,

By: 

Edward J. Lynch
Registration No. 24,422
Attorney for Applicants

Duane Morris LLP
One Market
Spear Tower, 20th Floor
San Francisco, CA 94105
Telephone: (415) 371-2200
Facsimile: (415) 371-2201
Direct Dial: (415) 371-2267

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Serial No.: 10/719,448
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Atty. Docket No.: R0367-01003

) Examiner: John A. Jeffery
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) Group Art Unit: 3742
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AMENDMENT AND RESPONSE

TO OFFICE ACTION

MAILED 05/13/2005

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Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the final Office Action mailed on May 13 2005, please amend the
above-identified application as follows:

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